

REMARKS

Reconsideration of the Office Action mailed September 2, 2005, (hereinafter "instant Office Action"), entry of the foregoing amendments and withdrawal of the rejection of claims 18, 23-27, 41, 43, 46 and 47 are respectfully requested.

In the instant Office Action, claims 18, 23-27, 41, 43 and 45-47 are listed as pending, and claims 18, 23-27, 41, 43 and 45 are listed as rejected. Claims 41, 46 and 47 are listed as objected to.

Applicants acknowledge that the Examiner has withdrawn the allowability of claims 18, 23-27, 41, 43, 46 and 47 because art was found.

The Examiner has not repeated the rejection of claims 18, 23-27, 43 and 45 under 35 U.S.C. §102(b), first paragraph as allegedly failing to comply with the enablement requirement. Applicants. Therefore, Applicants presume that the amendments submitted in the Reply filed August 22, 2005 overcame the rejection and it has been withdrawn. Applicants respectfully request that the Examiner advise Applicants if this is not correct.

The Examiner has not repeated the rejection of claims 37 and 38 under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Therefore, Applicants presume that the amendments submitted in the Reply filed August 22, 2005 overcame the rejection and it has been withdrawn. Applicants respectfully request that the Examiner advise Applicants if this is not correct.

The Examiner has rejected claims 18, 23-27, 43 and 45 under 35 U.S.C. §102(b) as allegedly being anticipated by Selim et al. (Oriental Journal of Chemistry (1994), 10(3), 199-204. The Examiner states "[t]he claims read on the compound of RN 168429-64-9 which corresponds to the instant claims when in the claims R represent pyrrolyl and R¹ represents phenyl." Applicants have amended claim 18 to delete "or unsubstituted" from the definition of R so that claim 18 does not read on RN 168429-64-9.

Based upon the foregoing, the rejection of claims 18, 23-27, 43 and 45 under 35 U.S.C. §102(b) as allegedly being anticipated by Selim et al. (Oriental Journal of Chemistry (1994), 10(3), 199-204, is obviated and should be withdrawn.

The Examiner has objected to claims 41, 46 and 47 as to being dependent upon a rejected base claim. Based upon the amendment made to overcome the rejection of claims 18, 23-27, 43 and 45 under 35 U.S.C. §102(b) as allegedly being anticipated by Selim et al. (Oriental Journal of Chemistry (1994),

10(3), 199-204, the objection to claims 41, 46 and 47 as to being dependent upon a rejected base claim is obviated and should be withdrawn.

If the Examiner believes that a telephone conference would advance the condition of the instant application for allowance, Applicants invite the Examiner to call Applicants' agent at the number noted below.

Respectfully submitted,

Date: December 1, 2005

Gayle B. O'Brien

Gayle B. O'Brien
Agent for Applicants
Reg. No. 48,812

Abbott Bioresearch Center
100 Research Drive
Worcester, MA 01605
(508) 688-8053